

# United States District Court


## EASTERN DISTRICT OF TEXAS

**SHERMAN DIVISION**

ELYSIA GLASSCOCK

V.

COTTONWOOD FINANCIAL, LTD.,  
COTTONWOOD FINANCIAL  
MANAGEMENT, INC.,  
COTTONWOOD FINANCIAL TEXAS, L.P.,  
and COTTONWOOD FINANCIAL TEXAS  
MANAGEMENT



Case No. 4:11-CV- 210

Judge Schneider/Judge Mazzant

**MEMORANDUM ADOPTING REPORT AND  
RECOMMENDATION OF THE UNITED STATES MAGISTRATE JUDGE**

Came on for consideration the report of the United States Magistrate Judge in this action, this matter having been heretofore referred to the United States Magistrate Judge pursuant to 28 U.S.C. § 636. On September 6, 2011, the report of the Magistrate Judge was entered containing proposed findings of fact and recommendations that Defendants' Motion to Dismiss and Compel Arbitration (Dkt. #9) be granted, Plaintiff's Motion to Dismiss and/or Strike Defendants' Counterclaim (Dkt. #6) be dismissed as moot, and Plaintiff's Motion to Dismiss and/or Strike Defendants' Amended Counterclaim (Dkt. #14) be dismissed as moot.

Having received the report of the United States Magistrate Judge, and no objections thereto having been timely filed, this Court is of the opinion that the findings and conclusions of the Magistrate Judge are correct and adopts the Magistrate Judge's report as the findings and conclusions of the Court.


It is, therefore, **ORDERED** that Defendants' Motion to Dismiss and Compel Arbitration (Dkt. #9) is **GRANTED**, Plaintiff's Motion to Dismiss and/or Strike Defendants' Counterclaim (Dkt. #6) is denied as moot, and Plaintiff's Motion to Dismiss and/or Strike Defendants' Amended

Counterclaim (Dkt. #14) is denied as moot.

The Court further **ORDERS** that Plaintiff's claims and Defendant's counterclaim are **DISMISSED** without prejudice, and the parties shall proceed to arbitration.

**It is SO ORDERED.**

**SIGNED this 12th day of October, 2011.**

  
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MICHAEL H. SCHNEIDER  
UNITED STATES DISTRICT JUDGE